MINUTES OF THE BOARD OF POLICE COMMISSIONERS MEETING TUESDAY, JULY 17, 2012

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, July 17, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri.

PRESENT:

Commissioner Lisa T. Pelofsky, President Commissioner Alvin L. Brooks, Vice President Commissioner Angela Wasson-Hunt, Treasurer Commissioner Patrick A. McInerney, Member Patty Higgins, A/ Chief of Police Mr. David V. Kenner, Secretary/Attorney

NOT PRESENT:

Darryl Forté, Chief of Police Mayor Sylvester "Sly" James, Jr., Member

This meeting was called to order at 9:07 a.m. by Commissioner Pelofsky. The invocation was provided by Monsignor Bradley S. Offutt.

1. Mr. Gary White.

Mr. White presented the monthly status report dated July 11, 2012. Commissioner Pelofsky asked if the audit of the city phone lines included the police department. Mr. White said no.

2. Councilman John Sharp.

Councilman Sharp said the Public Safety and Neighborhoods Committee recently voted for approval of the ordinance providing funding for renovation of police headquarters. Councilman Sharp noted that very few renovations are planned for the Detention Unit and the Committee questioned whether revisiting

the idea of a regional jail facility should be revisted. He said he would be willing to explore the options related to this.

Councilman Sharp said he recently met with representatives of the Crime Commission and they discussed the Gun Bounty Program. He said not many rewards have been issued as a result of this program due to the backlog at the Regional Crime Lab. He is concerned that there could be a negative impact on the program if the rewards are not paid out in a timely fashion.

Commissioner Brooks asked that Chief Forté bring up the topic of a regional detention facility. Commissioner McInerney said this topic has come up before and due to the complexity nothing moved forward and said perhaps it is time for discussions to begin again, perhaps even across state lines for a 1,000 to 1,500 bed facility.

3. Approval of the minutes.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney approving the minutes of the June 14, 2012 business session as amended. The vote was 4-0 in favor. Following polling, Commissioner McInerney voted aye, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, and Commissioner Wasson-Hunt voted aye.

Commissioner Wasson-Hunt asked for a change to page 2.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner McInerney approving the minutes of the June 26, 2012 meeting as presented. The vote was 4-0 in favor. Following polling, Commissioner

McInerney voted aye, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, and Commissioner Wasson-Hunt voted aye.

4. Mr. Eric Bosch, City Architect. Mr. Bosch provided an update on the current construction projects.

With regard to police headquarters, he said a few exterior items are being completed. Work will begin on the interior and on the addition. A fence will be constructed near headquarters and the municipal court beginning August 6 to get ready for this construction. Demolition will begin the week of August 20.

Mr. Bosch said the city now owns 90 percent of the properties on the site of the new EPD and crime lab, and the City will give the property owners 90 days to move. Only about three or four people are holding out on price. Research is being conducted to see if any of the building materials can be re-purposed.

The search for a construction manager-at-risk has been extended for another week. Bids will be opened the first week of August.

Work on the SPD/SOD has gone well and carpeting and painting are being completed. Data wiring is underway and furniture is being delivered. They are still holding off until late summer for landscaping due to the heat.

Commissioner Wasson-Hunt said she is pleased with the exterior of police headquarters.

5. <u>A/ Chief Patty Higgins</u>. A/ Chief Higgins gave recognition to the officers involved with the All Star game security detail. The City did a resolution thanking and congratulating the officers for their fine work.

A motion was made by Commissioner Brooks, with a second by Commissioner Wasson-Hunt to pass a resolution honoring all of the officers for their excellent work during the All Star game.

6. <u>Investigations Bureau</u>. Deputy Chief Randy Hundley reported that year-to-date there have been 53 homicides with 57 for the same time period last year. Deputy Chief Hundley said there are 1,600 cases that have been presented to the prosecutor and charges were filed in 1,209 of these.

With regard to drive-by shootings, there have been 20 in May 2012, as compared to 33 in May 2011.

The Cold Case Sex Crimes backlog disposition is currently at 1,075 cases in need of review.

Deputy Chief Hundley said the Community Support Division has been very active in the community and held some briefings in the community over incidents that have occurred.

Deputy Chief Hundley submitted the Narcotics and Vice Summary for May 2012. This report is Attachment "A" and is made a part of these minutes.

Commissioner McInerney noted that firearms recovery is still up and he asked if these recoveries are done by KCPD officers or if the recoveries are a part of joint task forces. Deputy Chief Hundley said it is a combination of these two. Additionally, he said a substantial number of firearms were recovered during a couple of large seizures. Commissioner Brooks asked if there is any group that monitors the gun shows. Deputy Chief Hundley said yes.

7. Patrol Bureau.

Deputy Chief Cheryl Rose presented the Monthly Crime Summary for May 2012. This report is Attachment "B" to these minutes. Also submitted was the June 2012, Traffic Summary which is marked as Attachment "C" to these minutes.

With regard to response times, Deputy Chief Rose advised that the response time goal was met 48.86 percent of the time. Commissioner McInerney asked if it is the correct approach to measure response times by the same standard across all patrol divisions. Deputy Chief Rose said it could be beneficial to set separate response time goals for the three suburban and three urban core divisions. Commissioner Wasson-Hunt agreed that it is not fair to hold each division to the same response time goal.

Deputy Chief Rose said the police department does not use response times as a "grade card." However, she said globally, response times are looked at to determine how well a police department is doing. She said a better measure is to look at crime and quality of life issues. Commissioner Pelofsky suggested that response times are used as an "industry standards" for public safety entities. Commissioner Brooks said he is not suggesting that every call be a priority one call, however, if the public asks to see the response time numbers we should be able to produce that information.

With regard to the Traffic Summary, Deputy Chief Rose said there have been five fatal accidents for the month of May 2012. Year-to-date there have been 34 persons killed in accidents compared to 35 last year.

With regard to the Department wide traffic enforcement, Deputy Chief Rose noted the Department is down 25 percent compared to last year. A decrease was expected due to the implementation of REJIS and E-ticketing.

Deputy Chief Rose noted that the intersection of 152 Hwy. and Flintlock did not make the Top 20 Crash Locations list. This is attributed to the new traffic control light that was installed in that area. Drivers are slowing down.

Commissioner McInerney commended Deputy Chief Rose for her presentation of the Red Light Camera Report to the City Council.

Deputy Chief Rose commended all Department members involved in the All Star game event. She said Major Rich Lockhart was the incident commander with Major Roger Lewis as the deputy incident commander. Both did an excellent job.

Major Lockhart provided a recap of the All Star event and recognized the following Department members and outside agencies that provided assistance:

Major Roger Lewis, Deputy Incident Commander Captain Mike Wood, Operations Section Chief Captain Daniel Gates, Planning Section Chief Captain Mark Francisco, Logistics Chief Captain Jim Connelly, Finance Section Chief Captain Mike Perne, Hotel Branch Director Captain Rick Smith, Downtown Branch Director Sergeant Grant Ruark, Traffic Branch Commander Captain Greg Dull, Stadium Branch Director Captain Dave Bosworth, Surveillance Branch Director Captain Kevin O'Sullivan, Operations Branch Director Manager Steve Hoskins, Communications Manager Ed Brundage, Communications Supervisor Jeane Rast, Communications Sergeant Pat Rauzi, Support Branch Director Sergeant Greg Williams, Downtown Branch Captain Greg Volker, IT Manager Mike Grigsby, IT

Sergeant Joy Colmar, IT Supervisor Jeff Weir, Fleet Support Major Anthony Ell, Watch Parties Major David Zimmerman, MLB Liaison Major Rosilyn Allen, Coordinator

Outside agencies:

Special Agent Renee' Cline, FBI
Captain Bob Kolenda, Overland Park Police, Intelligence Section Chief
Deputy Chief Donna Maize, Kansas City Fire Department
Mr. Gene Shepherd, KCMO Emergency Operations Center
Chief Tom Dailey, Independence Police Department
Sheriff Mike Sharp, Jackson County Sheriff's Department
Mr. Rusty James, Missouri Department of Transportation
Missouri State Highway Patrol

Major Lockhart said Kansas City was in the national spotlight and the Department did an excellent job and he provided the following highlights: The Fan Fest event drew more than 100,000 people over a five day period. The 5K run had more than 8,000 participants. He said the Red Carpet parade had an estimated 20,000 to 30,000 spectators. All events at Royals Stadium were sold out with 40,000 fans at each event. Major Lockhart said there were no major problems at any of the events. Feedback on traffic flow during these events was positive. Two suspicious packages were investigated which turned out to be brochures and about 50 people were affected by counterfeit tickets. FOX Sports said Kansas City Police did an excellent job during the event.

Commissioner Pelofsky said the Department did an outstanding job and suggested that the Department provide a report to MARC for equipment needed for large scale events. Commissioner Pelofsky said she was proud of the excellent job done by everyone involved. Commissioner Brooks and Wasson-Hunt concurred.

8. Administration Bureau.

Commissioner Pelofsky commended A/ Deputy Chief Pruetting and his staff for providing security at River Fest.

A/ Deputy Chief Pruetting submitted the Personnel Summary dated June 30, 2012. Current department strength is 1,361 law enforcement personnel compared to 1,386 for this same time period in 2011. There are 569 civilians compared to 571 for the same time period 2011.

Seventeen recruits will graduate from the academy on August 9, 2012, with an additional 30 that graduate on December 13, 2012.

- 9. <u>Professional Development & Research Bureau</u>. Deputy Chief Higgins said the procedure for presenting policies to the Board had changed. Policies presented for review will be listed under "Pre-Consent Agenda Items" and will be presented at the following Board meeting as "Consent Agenda Items" unless the Board wants to remove a policy or discuss it further.
- **10.** <u>Executive Services Bureau.</u> Major Robin Houston presented the following items for Board approval:
- a. <u>Emerging Threat Analysis Capability (ETAC) computer software</u> and services agreement. Major Houston presented a memorandum dated July 10, 2012, recommending Board approval to accept the ETAC agreement from MARC. MARC has been awarded grant funding of \$122,000 through the fiscal years 2009-2010 Urban Area Security Initiative Grant Program for this project.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Brooks accepting the ETAC agreement from MARC in the amount

of \$122,000 as presented. The vote was 4-0 in favor. Following polling, Commissioner McInerney voted aye, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, and Commissioner Wasson-Hunt voted aye.

b. Budget transfers for fiscal year 2012-13.

Major Houston submitted a memorandum dated July 5, 2012, outlining the details of these budget transfers. A copy of this memorandum is Attachment "D" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Brooks approving the budget transfers as presented. The vote was 4-0 in favor. Following polling, Commissioner McInerney voted aye, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, and Commissioner Wasson-Hunt voted aye.

c. Budget transfers for fiscal year 2012-13.

Major Houston submitted a memorandum dated July 6, 2012, outlining the details of these budget transfers. A copy of this memorandum is Attachment "E" and made a part of these minutes.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney approving the budget transfers as presented. The vote was 4-0 in favor. Following polling, Commissioner McInerney voted aye, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, and Commissioner Wasson-Hunt voted aye.

d. <u>Supplemental appropriations for fiscal year 2012-13</u>. Major Houston submitted a memorandum dated July 6, 2012, requesting the

establishment of supplemental appropriations in the Byrne JAG grant fund. A copy of this memorandum is Attachment "F" and made a part of these minutes.

A motion was made by Commissioner Brooks with a second by Commissioner Wasson-Hunt approving the request for supplemental appropriations as presented. The vote was 4-0 in favor. Following polling, Commissioner McInerney voted aye, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, and Commissioner Wasson-Hunt voted aye.

e. <u>Budget Summary for the month of June</u>. Major Houston submitted this memorandum, dated July 6, 2012, for informational purposes only. A copy of this memorandum is Attachment "G" and made a part of these minutes.

Commissioner Wasson-Hunt asked if the commodities are over budget due to the price of gasoline. Mr. Paul Kies, from the Budget Unit, said it is due to minor equipment and uniforms.

Commissioner Brooks had a question about the \$5 million dollars promised by the City for raises as listed on the memorandum under personal services. Major Houston said the Department has not yet received the \$5 million from the City, but were authorized to give the raises and will be reimbursed later. Apparently, this sum is being held up due to the FOP lawsuit.

11. Ms. I. Pearl Fain.

a. <u>Monthly report</u>. Ms. Fain presented the monthly statistical report for June 2012. This report is maintained in the Office of Community Complaints.

OCC received a total of 32 complaints for the month of June 2012, and 13 of these complaints were submitted to the Internal Affairs Unit for Investigation.

Commissioner Brooks asked if OCC has received any complaints from the time period during the All Star game. Ms. Fain said no.

Ms. Fain submitted the OCC Semi-Annual Report for the period of January through June 2008-2012. She also submitted a digital version of the OCC 2011 Annual Report.

Ms. Fain advised that there has been a downward trend in complaints for improper procedure which she attributes to officer training and OCC's educational component.

Commissioner Brooks is pleased that bias-based policing complaints are down.

Commissioner Pelofsky said KCPT is presenting a documentary on immigration that includes a segment on the Westside CAN Center and the work of Officer Matt Tomasic and Chato Villalobos at the CAN Center. She encouraged everyone to watch this documentary.

- **12.** <u>Al Deputy Chief Pruetting</u>. Major Pruetting will discuss Title 17 in closed session because Ms. Lisa Morris will provide legal advice on this matter.
- 13. <u>Audit Committee update</u>. Commissioner Wasson-Hunt said the Audit Committee meeting met on June 29, 2012, at which time Major Houston provided a review of the Department's response to the state auditor's report. Mr. Gee provided a summary of the NPD audit, the preventable vehicular audit, as well as the Department of Public Safety audit of KCPD juvenile detention facilities.

14. Scheduled meetings.

Regular Board Meetings:

Tuesday, August 28, 2012 9:00 a.m., 6th floor, Board room

Tuesday, September 25, 2012 9:00 a.m., 6th floor, Board room

Tuesday, October 23, 2012 9:00 a.m., 6th floor, Board room

Business Sessions:

Tuesday, August 14, 2012 9:00 a.m., 6th floor, Board room

Telephone Conference:

Monday, July 23, 2012 9:00 a.m., 6th floor, Board room The Board will review and vote on the Memorandum of Understanding with the FOP and the rescission and re-adoption of the proposed changes to Title 17.

15. <u>Commissioner Alvin Brooks</u>. Commissioner Brooks commended a couple of officers who helped him work out a problem for a woman who was receiving assistance from Missouri Crime Victim's Compensation.

RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on May 23, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, July 17, 2012, at Police Headquarters, 1125 Locust, Kansas City,

Missouri, for the purpose of discussing legal matters, employment matters, preparation for negotiations with employees, and litigation matters.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Patrick McInerney - Aye
Commissioner Lisa T. Pelofsky - Aye
Commissioner Alvin Brooks - Aye
Commissioner Wasson-Hunt - Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

- 1) Following a motion by Commissioner McInerney and a second by Commissioner Brooks, the Board voted to adjourn the open session at 10:19 a.m. and go into closed session to discuss legal matters, employment matters, preparation for negotiations with employees, and litigation matters. The vote was 4-0 in favor. Following polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, and Commissioner Wasson-Hunt voted aye.
- 2) Following a motion by Commissioner Brooks and a second by Commissioner McInerney, the Board voted to approve the minutes of the closed session of the June 14, 2012, meeting as corrected. The vote was 4-0 in favor. Following polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, and Commissioner Wasson-Hunt voted aye.
- 3) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the minutes of the closed session of the June 26, 2012, meeting. The vote was 4-0 in favor. Following

polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, and Commissioner Wasson-Hunt voted aye.

Mayor James joined the closed session at 10:38 a.m.

- 4) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the application for continued employment of Sergeant Ronald Podraza. The vote was 5-0 in favor. Following polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, Commissioner Wasson-Hunt voted aye and Mayor James voted aye.
- 5) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner McInerney, the Board voted to approve the application for continued employment of Police Officer Raymond Thompson. The vote was 5-0 in favor. Following polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, Commissioner Wasson-Hunt voted aye and Mayor James voted aye.
- 6) Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt, the Board voted to go out of closed session and adjourn. The vote was 5-0 in favor. Following polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, Commissioner Wasson-Hunt voted aye and Mayor James voted aye.

President
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